

Nays—9.

Davidson.	Potter.
Gough.	Sebastian.
Lloyd.	Terrell.
Miller.	Yantis.
Morriss.	

Absent.

Atlee.	McGee.
Dibrell.	Neal.
Goss.	Odell.
Grinnan.	Patterson.
Lewis.	Stafford.
Linn.	Stone.

SEVENTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas, Wednesday, May 3, 1899.

Senate met pursuant to adjournment.

President Pro Tem. Stafford in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Neal.
Burns.	Odell.
Davidson.	Patterson.
Dibrell.	Potter.
Gough.	Ross.
Greer.	Sebastian.
Hanger.	Stafford.
James.	Terrell.
Johnson.	Turney.
Kerr.	Wayland.
Lloyd.	Yantis.
Miller.	Yett.
Morriss.	

Absent.

Goss.	Linn.
Grinnan.	McGee.
Lewis.	Stone.

Prayer by Rev. Dr. Smoot.

Pending the reading of the Journal of yesterday,

On motion of Senator Neal, the same was dispensed with.

EXCUSED.

On motion of Senator Miller, Senator McGee was excused for non-attendance on yesterday and indefinitely on account of sickness.

On motion of Senator Miller, Senator Dibrell was excused for non-attendance on yesterday on account of important business.

On motion of Senator Neal, Assistant Journal Clerk T. H. Napier, was excused from Monday of this week until Thursday, inclusive, on account of sickness.

On motion of Senator Potter, Senator Terrell was excused for non-attendance

on Friday last on account of important business.

On motion of Senator Yantis, Senator Yett was excused for non-attendance on Thursday and Friday of last week on account of sickness.

On motion of Senator Greer, Senator Yantis was excused for non-attendance last week on account of important business.

On motion of Senator Odell, Senator Neal was excused for non-attendance on yesterday on account of important business.

On motion Senator Patterson was excused for non-attendance last week on account of important business.

On motion of Senator Neal, Senator Odell was excused for non-attendance on yesterday on account of important business.

On motion of Senator Patterson, Senator Stone was excused for non-attendance on yesterday and today on account of important business.

On motion of Senator Potter, Senator Grinnan was excused for today and tomorrow on account of important business.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, May 3, 1899.

Hon. R. N. Stafford, President Pro Tem. of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 336, being a bill to be entitled "An Act to prohibit pawn-brokers, junk shop dealers, second-hand dealers and all other persons who buy, sell or otherwise deal in personal property for profit, from buying or receiving the same from children or disposing of any such personal property brought or sold to them by children, except when such children produce a written permit from their parents or guardian giving authority to such children to have, possess or dispose of such personal property,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

Floor report (May 3, 1899)—Yantis, Miller, James, Odell, Neal, Davidson.

YANTIS, Chairman.

Committee Room,
Austin, Texas, April 25, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 341, being a bill to be entitled "An Act making a supplementary appropriation for the per diem pay of members, officers and employes of the Regular Session of the Twenty-sixth Legislature of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

DIBRELL, Chairman.

Committee Room,
Austin, Texas, May 3, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Substitute House bill No. 782, being a bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Railway Company, with its franchises and appurtenances; the railroad of the Fort Worth & New Orleans Railway Company, with its franchises and appurtenances; the Lancaster Tap Railroad, with its franchises and appurtenances; the railroad of the Austin & Northwestern Railroad Company, with its franchises and appurtenances, and the railroad of the Granite Mountain & Marble Falls City Railroad Company, with its franchises and appurtenances, or either or any of such railroads with its or their franchises and appurtenances; and to authorize the owners of each of said railroads, and its franchises and appurtenances, to sell same; and to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railways, franchises and appurtenances so purchased, and to the amount of the value of the railroad hereafter constructed by it under the provisions of this act, as fixed or as the same may be fixed by the Railroad Commission of Texas, and to regulate the reports of such properties and the operations thereof; and to authorize the Houston & Texas Central Railroad Company to construct, own, operate and maintain, or to amend its articles of incorporation so as to authorize it to construct, own, operate and maintain a railroad from a connection with the Austin & Northwestern Railroad, in Burnet county, to the town of Lampasas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

DIBRELL, Acting Chairman.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, May 3, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bill:

Substitute House bill No. 782, A bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Railway Company, with its franchises and appurtenances; the railroad of the Fort Worth & New Orleans Railway Company, with its franchises and appurtenances; the Lancaster Tap Railroad, with its franchises and appurtenances; the railroad of the Austin & Northwestern Railroad Company, with its franchises and appurtenances, and the railroad of the Granite Mountain & Marble Falls City Railroad Company, with its franchises and appurtenances, or either or any of such railroads with its or their franchises and appurtenances; and to authorize the owners of each of said railroads, and its franchises and appurtenances, to sell same; and to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railways, franchises and appurtenances so purchased, and to the amount of the value of the railroad hereafter constructed by it under the provisions of this act, as fixed or as the same may be fixed by the Railroad Commission of Texas, and to regulate the reports of such properties and the operations thereof; and to authorize the Houston & Texas Central Railroad Company to construct, own, operate and maintain, or to amend its articles of incorporation so as to authorize it to construct, own, operate and maintain a railroad from a connection with the Austin & Northwestern Railroad, in Burnet county, to the town of Lampasas," with amendments.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

IN SENATE.

The above reported House bill No. 782, was read first time, and referred to the Committee on Internal Improvements.

BILLS AND RESOLUTIONS.

By Senator Greer:

Senate bill No. 346, A bill to be entitled "An Act to ratify, confirm and validate a title granted by the Mexican govern-

ment to David Choate, which said title was issued on the 12th day of August, 1835, by George (or Jorge) Antonio Nixon, special commissioner for issuing titles to colonists in Zavala's and Vehelein's colonies, for one league of land now situated partly in Hardin and partly in Jefferson county, Texas."

Read first time, and referred to the Committee on Public Lands and Land Office.

By Senator Morriss:

Senate bill No. 347, A bill to be entitled "An Act to correct an error in enrollment and make its provisions more clear of Senate bill No. 47, entitled 'An Act to create and maintain a more efficient public road system for Cass county,' passed at the Regular Session of the Twenty-sixth Legislature."

Read first time, and referred to Judiciary Committee No. 2.

Call concluded.

REGULAR ORDER.

The Chair laid before the Senate, on third reading,

House bill No. 412, A bill to be entitled "An Act to amend Article 5043, Chapter 6, Title CII, Revised Statutes, relating to inspection of live stock, so as to place Randall county under the operation of said law, and to remove Cochran, Cottle, Bailey, Parmer, Lamb and Hemphill counties from the operation of said law."

The bill was read a third time, and passed.

The Chair laid before the Senate, on second reading,

Substitute House bill Nos. 160, 501 and 574, A bill to be entitled "An Act to carry into effect the amendment to the Constitution of the State of Texas, providing that aid may be granted to disabled and dependent Confederate soldiers, sailors and their widows, under certain conditions, and to make an appropriation therefor."

The bill was read a second time, with committee substitute.

Committee substitute adopted.

Pending action on passage to a third reading, the following amendments were offered:

By Senator Dibrell:

"Amend the bill in line 13, page 9, by striking out the following, 'and conduct all correspondence pertaining to the same.'"

Adopted.

(Senator Gough in the chair.)

By Senator Greer:

"Amend page 7, lines 31 and 32, by striking out after the words 'to mean,'

and up to the words 'and that,' and insert in lieu thereof the following, 'one who does not own property in excess of five hundred dollars and has no means of subsistence.'"

By Senator Potter:

"Substitute for the amendment:

"Add after the word 'property,' in line 32, page 7, the following, 'sufficient for his support.'"

By Senator Dibrell:

"Substitute for the amendment, and substitute therefor:

"Amend the bill in line 32, page 7, by substituting in lieu of the word 'or' the word 'and.'"

Adopted.

The amendment as substituted was adopted.

By Senator Sebastian:

"Amend by striking out all after the word 'residence,' in line 16, page 7, down to and including the words 'county judge,' in line 18, page 7."

Adopted by the following vote:

Yeas—12.

Atlee.	Neal.
Gough.	Odell.
Hanger.	Patterson.
Johnson.	Ross.
Lloyd.	Sebastian.
Miller.	Turney.

Nays—10.

Davidson.	Morriss.
Dibrell.	Potter.
Greer.	Terrell.
James.	Wayland.
Kerr.	Yett.

Present—Not voting.

Stafford.

Absent.

Burns.	Linn.
Goss.	Yantis.
Lewis.	

Absent—Excused.

Grinnan.	Stone.
McGee.	

Senator Sebastian moved to reconsider the vote by which the amendment was adopted, and to lay that motion on the table.

Carried by the following vote:

Yeas—12.

Atlee.	Neal.
Gough.	Odell.
Hanger.	Patterson.
Johnson.	Ross.
Lloyd.	Sebastian.
Miller.	Turney.

Nays—11.

Davidson.	Potter.
Librell.	Stafford.
Greer.	Terrell.
James.	Wayland.
Kerr.	Yett.
Morriss.	

Absent.

Burns.	Lewis.
Goss.	Linn.

Absent—Excused.

Grinnan.	Stone.
McGee.	

By Senator Wayland:

"Amend by adding Section 14:

"Section 14. The near approach of the close of the session, the large number of bills on the calendar, and the fact that there are a large number of disabled and dependent Confederate soldiers in this State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect from and after its passage, and it is so enacted."

Senator Gough made the point of order against the amendment *that an emergency clause could not be added to a bill coming from the House so as to give it immediate effect for the reason that the Constitution required a two-thirds vote, and the Senate had no notice of what vote the bill received in the House.*

Overruled for the reason that the Chair could not prevent the amendment being offered, but in this case the amendment would not have that effect on the bill.

HOUSE MESSAGE.

Pending action, the following message from the House was received:

Hall of the House of Representatives,
Austin, Texas, May 3, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bill:

Senate bill No. 334, A bill to be entitled An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate the railway extending from a point in or near the town of Tyler, in Smith county, to a point in or near the town of Lufkin, in Angelina county, with its franchises and appurtenances, known as the Tyler Southeastern Railway; and to authorize the Tyler Southeastern Railway Company, and owners thereof, to sell the same; and

to authorize the St. Louis Southwestern Railway Company of Texas to assume the payment of the indebtedness of the Tyler Southeastern Railway Company, and to own and operate the property so purchased," with amendments.

Also that the House has adopted the majority report of the Free Conference Committee on Senate bill No. 144.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

Senator Hanger called up

Senate bill No. 334, A bill to be entitled "An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate a railway extending from a point in or near the town of Tyler, in Smith county, to a point in or near the town of Lufkin, in Angelina county, with its franchises and appurtenances, known as the Tyler Southeastern Railway, and to authorize the Tyler Southeastern Railway Company, and the owners thereof, to sell the same, and to authorize the St. Louis Southwestern Railway Company of Texas to assume the payment of the indebtedness of the Tyler Southeastern Railway Company, and to own and operate the property so purchased," which had passed the House with amendment, and moved that the Senate concur in said amendment.

Concurred.

Senator Turney moved to adjourn until 10 a. m. tomorrow.

Lost.

COMMITTEE REPORTS.

By unanimous consent the following committee reports were sent up:

Committee Room,
Austin, Texas, May 3, 1899.

Hon. R. N. Stafford, President Pro Tem of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 347, A bill to be entitled "An Act to correct an error in enrollment, and make its provisions more clear of Senate bill No. 47, entitled 'An Act to create and maintain a more efficient public road system for Cass county,' passed at the Regular Session of the Twenty-sixth Legislature,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

Floor report—Terrell, Davidson, Greer, James and Miller.

TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, May 3, 1899.

*Hon. R. N. Stafford, President Pro Tem
of the Senate.*

SIR: Your Committee on Public Lands
and Land Office, to whom was referred

Senate bill No. 346, A bill to be entitled
"An Act to ratify, confirm and validate
a title granted by the Mexican govern-
ment to David Choate, which said title
was issued on the 12th day of August,
1835, by George (or Jorge) Antonio
Nixon, special commissioner for issuing
titles to colonists in Zavala's and Vehe-
lein's colonies for one league of land now
situated partly in Hardin and partly in
Jefferson county, Texas,"

Have had the same under considera-
tion, and I am instructed to report the
same back to the Senate with the recom-
mendation that it do pass, and further
recommend that it be not printed.

Floor report—Potter, Turney, Neal,
Terrell and James.

POTTER, Chairman.

Senator Sebastian moved to adjourn
until 9:30 a. m. tomorrow.

Lost,
(President Pro Tem Stafford in the
chair.)

MOTION TO RECONSIDER.

Senator Wayland entered on the Jour-
nal a motion to reconsider the vote by
which the amendment to Senate bill No.
323 (anti-trust bill), offered by Senator
Turney, was lost.

MOTION TO RECONSIDER CALLED UP.

Senator Greer called up his motion to
reconsider the vote by which the Free
Conference Committee report on Senate
bill No. 144 was adopted, and moved to
table said motion.

Carried.

Action recurring on Senator Wayland's
amendment to Substitute House bill Nos.
160, 501 and 574 (Confederate pension
bill).

On motion of Senator Davidson, the
pending business was suspended to take
up, on third reading,

House Committee Substitute for Sen-
ate bill No. 222.

The bill was read a third time.

By Senator Miller:

"Amend House Committee Substitute
for Senate bill No. 222, Section 1, page
3, by striking out in lines 28 and 29
the words 'with the consent and approval
of the Governor,' and in line 31 the word

'Governor,' and strike out the word 'Gov-
ernor' wherever it occurs in the bill.

Pending action,

On motion of Senator James, the Sen-
ate adjourned until 10 a. m. tomorrow
by the following vote:

Yeas—11.

Hanger.	Ross.
James.	Sebastian.
Johnson.	Stafford.
Kerr.	Wayland.
Miller.	Yett.
Odell.	

Nays—10.

Atlee.	Morriss.
Davidson.	Patterson.
Dibrell.	Potter.
Greer.	Terrell.
Lloyd.	Turney.

Absent.

Burns.	Lewis.
Goss.	Linn.
Gough.	Neal.

Absent—Excused.

Grinnan.	Stone.
McGee.	

SEVENTY-NINTH DAY.

Senate Chamber,
Austin, Texas, Thursday, May 4, 1899.

Senate met pursuant to adjournment.
President Pro Tem Stafford in the
chair.

Roll called. Quorum present, the fol-
lowing Senators answering to their
names:

Atlee.	Neal.
Burns.	Odell.
Davidson.	Patterson.
Dibrell.	Potter.
Greer.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Kerr.	Terrell.
Linn.	Turney.
Lloyd.	Wayland.
Miller.	Yett.
Morriss.	

Absent.

Goss.	Lewis.
Gough.	Stone.
Johnson.	Yantis.

Absent—Excused.

Grinnan.	McGee.
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Prayer by the Chaplain, Rev. Dr. Den-
son.

Pending the reading of the Journal of
yesterday,

On motion of Senator Turney, the same
was dispensed with.